

Remarks

Reconsideration of the subject application as currently amended is respectfully requested.

As previously discussed the present invention pertains to an apparatus for cleaning a flue or a chimney. The device includes a fire-resistant container and a flue or soot cleaning agent. When the container is disposed in the fire of a combustion chamber, such as a stove or a fireplace, the flue cleaning agent generates vapors that are released into the combustion chamber so that they can mix with combustion gases and are carried up to the flue or chimney (see specification page 3, second and fourth paragraphs). Claims 1, 19 and 20 have been amended to recite these features more clearly. In addition a new claim 21 has been added that recites a method of cleaning a flue or chimney as described above.

The Examiner has rejected claim 7 because it lacks clarity. The Applicant respectfully traverses this rejection. As the specification explains, it is preferably that the soot removing or flue cleaning agent be released slowly, i.e., over several months so that it lasts long. This can be accomplished by encasing the agent into a composition of sawdust and a binder. This composition then controls and restricts the formation of the vapors by controlling the combustion of the agent.

The Examiner has indicated that claims 4-6 contain allowable subject matter and remaining claims stand rejected as being anticipated by, or obvious in view of Owens. The Applicant respectfully traverses this rejection.

Owens discloses an aluminum container that holds pellets or bullets formed of a metallic catalyst. The container is placed in the path of a fuel and the catalyst acts on the fuel to reduce harmful emission gases, such as carbon monoxide, nitrous oxide. etc. (See col. 2, lines 40-42.)

It is respectfully submitted that there are numerous differences between the Owen and the present invention. For example, the present invention is provided for cleaning a flue or a chimney. Owen provides a device for removing harmful emissions from an internal combustion engine.

In the present invention, the container is placed in a combustion chamber and is subjected to fire to heat the cleaning agent.

In Owen, the container is placed in the fuel line so that liquid fuel contacts the catalyst. The container itself is NOT subjected to fire or high temperatures.

In the present invention, flue cleaning vapors are generated. In Owen, the catalyst reacts with the liquid fuel as the fuel flows through the container and at no time are any vapors generated or emitted from the container.

In the present invention, the flue cleaning vapors mix with the combustion gases and are carried to the flue. In Owen, after liquid fuel is passed through the container and is then burned. However the liquid fuel itself is never exhausted.

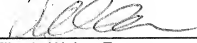
It is respectfully submitted that Owen neither anticipates nor renders the present invention obvious.

The Examiner states that a recitation of an intended use of a claimed invention is insufficient. The Applicant believes that the claims as previously submitted provided sufficient structure to render this rejection moot however in

the interest of advancing prosecution, the claims have been further amended to recite a soot removal agent generating vapors that are released from the container when the container is placed in a fireplace or stove. In Owen a tubular container is provided in a fuel line with three kinds of pellets or bullets. The first kind of pellet is formed of lead, tin and antimony that are melted together. The second kind of pellet is formed of zinc and nickel. The third kind of pellet is made of copper. There is absolutely nothing in Owen that teaches or suggests to a person skilled in the art that any of these pellets generate vapors that can remove soot from a flue or stack when placed in the fireplace or stove and subjected to fire that is normally found in the fireplaces or stoves.

It is respectfully submitted that the subject application is now in condition for immediate allowance.

Respectfully submitted,
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